

1 **BILL NO. 2008-31**

2 **ORDINANCE NO. 5995**

3 AN ORDINANCE TO UPDATE THE NOTIFICATION PROCEDURES FOR HEARINGS ON
4 ZONING APPLICATIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steve Wolfson Summary: Updates the notification procedures
6 for hearings on zoning applications.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
8 AS FOLLOWS:

9 SECTION 1: Title 19, Chapter 18, Section 30, Subsection (H), Paragraph (1), of the
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
11 follows:

12 (1) Notice and Hearing. Subject to the provisions of Section 19.18.030(C)(7), the City Council
13 shall consider a proposed General Plan Amendment and the recommendation of the Planning
14 Commission thereon at the next available meeting following the receipt of the recommendation. The
15 City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the
16 property owners who were notified by mail of the Planning Commission hearing, or to the current
17 owners of record in the case of properties whose ownership has changed in the interim.

18 SECTION 2: Title 19, Chapter 18, Section 40, Subsection (J), Paragraph (1), of the
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
20 follows:

21 (1) Notice and Hearing. The City Council shall consider the proposed rezoning and the
22 recommendation of the Planning Commission at the next available meeting following the receipt of
23 the recommendation. The City Clerk shall mail written notice of the Council hearing, at least ten days
24 before the hearing, to the property owners who were notified by mail of the Planning Commission
25 hearing, or to the current owners of record in the case of properties whose ownership has changed in
26 the interim.

27 SECTION 3: Title 19, Chapter 18, Section 50, Subsection (G), Paragraph (2),
28 Subparagraph (d), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
amended to read as follows:

1 (d) Planning Commission [Action.] Notice and Hearing. After interested City Departments have
2 had the opportunity for comment and the Department of Planning and Development has conducted
3 its review, each application for Major Review shall be presented to the Planning Commission. [If, in
4 the opinion of the Planning Commission, the proposed development could have a negative impact
5 upon surrounding and nearby uses, the item may be delayed or held in abeyance for notification of
6 surrounding property owners to the extent deemed necessary by the Planning Commission.] Notice
7 of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

8 (i) Publishing the notice in a newspaper of general circulation within the City;

9 (ii) Mailing a copy of the notice to:

10 A. The applicant;

11 B. Each owner of real property located within a minimum of one thousand feet of
12 the property described in the application;

13 C. Each tenant of any mobile home park that is located within one thousand feet
14 of the property described in the application;

15 D. The owner of each of the thirty separately-owned parcels nearest to the property
16 described in the application to the extent this notice does not duplicate the notice otherwise required
17 by this Paragraph (d);

18 E. Any advisory board which has been established for the affected area by the City
19 Council; and

20 F. The president or head of any registered local neighborhood organization whose
21 organization boundaries are located within a minimum of one mile of the property described in the
22 application.

23 SECTION 4: Title 19, Chapter 18, Section 50, Subsection (G), Paragraph (2),
24 Subparagraph (g), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
25 amended to read as follows:

26 (g) City Council [Action.] Notice and Hearing. All Major Development Reviews requiring review
27 by the City Council shall be forwarded to the Office of the City Clerk and shall be placed on the next
28 available City Council agenda[.] for hearing. The City Clerk shall mail written notice of the Council

1 hearing, at least ten days before the hearing, to the property owners who were notified by mail of the
2 Planning Commission hearing, or to the current owners of record in the case of properties whose
3 ownership has changed in the interim.

4 SECTION 5: Title 19, Chapter 18, Section 60, Subsection (K), Paragraph (1), of the
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
6 follows:

7 (1) Notice and Hearing. The City Council shall conduct a public hearing on all Special Use Permit
8 applications which are appealed or are forwarded to the Council for final action. [For any application
9 that is appealed to the Council, written notice of the Council hearing shall be mailed at least ten days
10 before the hearing to the property owners who were notified by mail of the Planning Commission
11 hearing.] The City Clerk shall mail written notice of the Council hearing, at least ten days before the
12 hearing, to the property owners who were notified by mail of the Planning Commission hearing, or
13 to the current owners of record in the case of properties whose ownership has changed in the interim.

14 SECTION 6: Title 19, Chapter 18, Section 70, Subsection (K), Paragraph (1), of the
15 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
16 follows:

17 (1) Notice[.] and Hearing. The City Council shall conduct a public hearing on any Variance
18 application which is appealed or forwarded to the Council for final action. The City Clerk is
19 authorized to consolidate all appeals or requests for review that have been filed regarding a particular
20 application, or to schedule them in sequence or otherwise, in which case the City Council may hear
21 the items separately or consolidate them for purposes of hearing, as the Council deems appropriate.
22 [For any application that is appealed to the Council or that is requested for review by a member of the
23 Council, written notice of the Council hearing shall be mailed at least ten days before the hearing to
24 the property owners who were notified by mail of the Planning Commission hearing.] The City Clerk
25 shall mail written notice of the Council hearing, at least ten days before the hearing, to the property
26 owners who were notified by mail of the Planning Commission hearing, or to the current owners of
27 record in the case of properties whose ownership has changed in the interim.

28 SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.18.030,

1 19.18.040, 19.18.050, 19.18.060 and 19.18.070 are deemed to be subchapters rather than sections.

2 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
3 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
4 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
5 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
6 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
7 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
8 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
9 invalid or ineffective.

10 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
12 1983 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this 6th day of August, 2008.

14 APPROVED:

15 By 
16 ~~OSCAR B. GOODMAN, Mayor~~

Gary Reese, Mayor Pro-Tem

17 ATTEST:

18 
19 BEVERLY K. BRIDGES, CMC
City Clerk

20 APPROVED AS TO FORM:

21 Val Steed 6-18-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 2nd day of July, 2008, and referred to a committee for recommendation; thereafter
3 the committee reported favorably on said ordinance on the 6th day of August, 2008, which
4 as a regular meeting of said Council; that at said regular meeting, the proposed ordinance
5 was read by title to the City Council as first introduced and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Wolfson,
Tarkanian, Ross and Barlow

7 VOTING "NAY": None

8 EXCUSED: None

9 ABSTAINED: None

11 APPROVED:

12 
13 OSCAR D. GOODMAN, Mayor

14 ATTEST:

Gary Reese, Mayor Pro-Tem

15 
16 BEVERLY K. BRIDGES, CMC City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2008 AUG -1 A 11:21

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

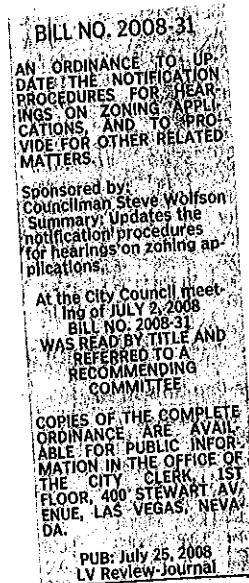
LV CITY CLERK

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was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/25/2008 to 07/25/2008, on the following days:

07/25/2008



Signed:

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

25th day of July, 2008.

Ana Quiquix-Martinez
Notary Public

